



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Austin F. Barbour  
4344 Audubon Park Lane  
Jackson, Mississippi 39211

JUN 2 2009

RE: MUR 6044  
Musgrove for Senate  
Democratic Senatorial Campaign Committee


Dear Mr. Barbour:

On May 15, 2009, the Federal Election Commission reviewed the allegations in your complaint dated July 22, 2008, and found that on the basis of the information provided in your complaint, and information provided by respondents, there is no reason to believe Musgrove for Senate and C. Dale Shearer, in his official capacity as Treasurer, violated 2 U.S.C. §§ 434(b), 441a(f) and 441d. The Commission also found no reason to believe that the Democratic Senatorial Campaign Committee and John B. Poersch, Jr., in his official capacity as Treasurer, violated 2 U.S.C. §§ 434(b) and 441a(d). Finally, the Commission voted to dismiss the allegation that respondents violated 2 U.S.C. § 441d(a)(2) on the grounds of prosecutorial discretion. *See Heckler v. Chaney*, 470 U.S. 821 (1985). Accordingly, on May 15, 2009, the Commission closed the file in this matter.

Documents related to the case will be placed on the public record within 30 days. *See* Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003). A Statement of Reasons providing a basis for the Commission's decision will follow.

The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action. *See* 2 U.S.C. § 437g(a)(8).

Sincerely,

  
Julie McConnell  
Assistant General Counsel

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